



S/N 09/767,775

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |  |                 |                  |
|-------------|--|-----------------|------------------|
| Applicant:  | Brian Davis et al.   | Examiner:       | Not Yet Assigned |
| Serial No.: | 09/767,775   | Group Art Unit: | Not Yet Assigned |
| Filed:      | January 23, 2001   | Docket No.:     | 40158.1USI3      |
| Title:      | SINGLE-STRANDED END-CAPPED OLIGONUCLEOTIDE MEDIATED<br>TARGETED GENE REPAIR AND MODIFICATION AND USES<br>THEREOF |                 |                  |

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL719665430US

Date of Deposit: August 13, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By:

*Marcie Hanson*  
Marcie Hanson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not

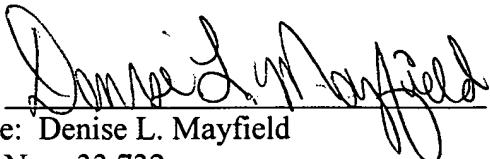
represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
303.357.1660



By:   
Name: Denise L. Mayfield  
Reg. No.: 33,732  
DLMayfield/meh

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

40158.1-US-13

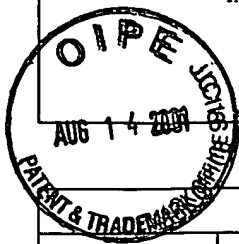
Application Number:

09/767,775

Applicant: Brian Davis, et al.

Filing Date: January 23, 2001

Group Art Unit: To be assigned



## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT NO. | DATE     | NAME   | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|---------------------|--------------|----------|--|-------|----------|-------------------------------|
|                     | 6,063,629    | 05/16/00 | Knoblauch, Michael.  |       |          |                               |
|                     | 5,198,423    | 05/30/93 | Yuki Taguchi, Otsu; Yoh'ichi Ohdate, Amagasaki; Yasutoshi Kawase, Otsu; Shouichi Goto, Tushima; Fusao Kimizuka, Ohmihachiman; Ikunoshin Kato, Uji; Ikuo Saiki; Ichiro Azuma, both of Sapporo, all of Japan |       |          |                               |
|                     | 5,776,748    | 07/07/98 | Singhvi, R., Kumar, A., Lopez, G.P., Stephanopoulos, G.N., Wang, D.I.C., Whitesides, G.M., and Ingber, D.E   |       |          |                               |
|                     | 5,262,128    | 11/16/93 | Leighton, Stephen; Brownstein, Michael   |       |          |                               |
|                     | 5,457,041    | 10/10/95 | Ginaven, Robert; Davis, Daniel   |       |          |                               |
|                     |              |          |  |       |          |                               |

## FOREIGN PATENT DOCUMENTS

|  | DOCUMENT NO.    | DATE     | COUNTRY                | CLASS | SUBCLASS | TRANSLATION |    |
|--|-----------------|----------|------------------------|-------|----------|-------------|----|
|  |                 |          |                        |       |          | YES         | NO |
|  | 0 463 508 A1    | 06/14/91 | European Patent Office |       |          |             |    |
|  | 0 175 966       | 09/04/85 | European Patent Office |       |          |             |    |
|  | WO 91/05519     | 05/02/91 | PCT                    |       |          |             |    |
|  | EP 0 795 606 A1 | 11/29/95 | European Patent Office |       |          |             |    |
|  | WO 96/17073     | 06/06/96 | PCT                    |       |          |             |    |
|  | 0 292 899       | 05/21/88 | European Patent Office |       |          |             |    |
|  |                 | 12/19/97 | PCT - Search Report    |       |          |             |    |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

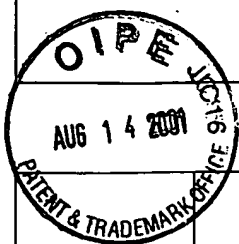
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EXAMINER

DATE CONSIDERED


EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

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| FORM 1449*<br>INFORMATION DISCLOSURE STATEMENT<br><br>IN AN APPLICATION<br>(Use several sheets if necessary) | Docket Number:<br>40158.1-US-13 | Application Number:<br>09/767,775 |
|  | Applicant: Brian Davis, et al.  |                                   |
|  | Filing Date: January 23, 2001   | Group Art Unit: To be assigned    |



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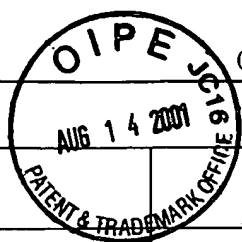
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| EXAMINER  | DATE CONSIDERED |
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| <b>FORM 1449*</b><br><b>INFORMATION DISCLOSURE STATEMENT</b><br><br><b>IN AN APPLICATION</b><br>(Use several sheets if necessary) | Docket Number:<br>40158.1-US-13 | Application Number:<br>09/767,775 |
|   | Applicant: Brian Davis, et al.  |                                   |
|   | Filing Date: January 23, 2001   | Group Art Unit: To be assigned    |

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|  | Davis, B.R., J. Yannariello-Brown, N.L. Prokopishyn, Z.J. Luo, M. Smith, and D.B. Brown. (2000). Glass Needle-Mediated Microinjection of Macromolecules and Transgenes into Primary Human Blood Stem/Progenitor Cells. <i>Blood</i> 95:437-444.   |
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